

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:08MD1932-MU**

**IN RE FAMILY DOLLAR FLSA  
LITIGATION**

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Concerning Daniels v. Family Dollar Stores

**ORDER**

This matter is before the Court on the parties Joint Motion for Dismissal of Plaintiff Darrell J. Gaines, Sr., filed August 15, 2011. (Doc. No. 608). The parties have agreed to this dismissal, with prejudice, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure with each party to bear their own costs.

**IT IS, THEREFORE ORDERED** that:

- (1) The Joint Motion for Dismissal as to Plaintiff Darrell J. Gaines, Sr. (Doc. No. 608) is **GRANTED**. Plaintiff's claims against Family Dollar are dismissed with prejudice, with each party to bear its own fees and costs;
- (2) The Court finds that there is no just reason to delay entry of final judgment for Family Dollar with respect to Plaintiff Darrell J. Gaines' claims against Family Dollar;
- (3) The Clerk is directed to enter final judgment, pursuant to Rule 54(b), for Family Dollar with respect to Plaintiff Darrell J. Gaines Sr.

**SO ORDERED.**

Signed: August 16, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge



**United States District Court  
For The Western District of North Carolina  
Charlotte Division  
3:08MD1932**

In Re: MDL Family Dollar FLSA Litigation  
Concerning Daniels v. Family Dollar Stores

**JUDGMENT IN A CIVIL CASE**

DECISION BY COURT. This action having come before the Court by motion and a decision having been rendered;

IT IS ORDERED AND ADJUDGED that Judgment is hereby entered in accordance with the Court's August 17, 2011 Order in favor of Family Dollar with respect to Plaintiff Darrell J. Gaines' claims.

Signed: August 17, 2011

  
Frank G. Johns, Clerk  
United States District Court

